

**IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF ARKANSAS  
JONESBORO DIVISION**

**RICKY LEE HARBISON**

**PLAINTIFF**

**v.**

**Case No. 3:13-cv-00166-KGB/HDY**

**JUSTIN KIMBLE, *et al.***

**DEFENDANT**

**ORDER**

The Court has reviewed the Proposed Findings and Recommendations submitted by United States Magistrate Judge H. David Young (Dkt. No. 37). No objections have been filed, and the time for filing objections has passed. After careful consideration, the Court concludes that the Proposed Findings and Recommendations should be, and hereby are, approved and adopted in their entirety as this Court's findings in all respects.

It is therefore ordered that:

1. The Court grants defendant Justin Kimble's motion for summary judgment (Dkt. No. 33) and dismisses plaintiff Ricky Lee Harbison's complaint.
2. Mr. Harbison's complaint is dismissed without prejudice with respect to his claims against the Poinsett County Detention Center and the Poinsett County Sheriff Department and is dismissed with prejudice with respect to his claims against Mr. Kimble.
3. The Court certifies that an *in forma pauperis* appeal taken from the Order and Judgment dismissing this action is considered frivolous and not in good faith.

SO ORDERED this the 20th day of May, 2015.



Kristine G. Baker  
United States District Judge